

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
vs.) NO. 04-30055-MAP
)
KACEY JONES)

AFFIDAVIT IN SUPPORT OF MOTION TO SUPPRESS

1. My name is Kacey Jones; and I am the defendant in the above entitled matter.
2. On 3/22/04 I was arrested by Springfield Police at an apartment at 49 School Street, Springfield, Ma.
3. This apartment was rented by my friend, William Cubi. I had been living at the apartment with Mr. Cubi for at least two months before the day I was arrested.
4. During the time I had been staying in the apartment with William Cubi, I kept my clothes there, slept there regularly, and spent a substantial amount of time in the apartment; I also shared expenses to pay for groceries and bills; I was staying at the apartment with the permission of William Cubi.
5. On the day I was arrested I was in the bathroom when I heard very loud banging and the police yelling to open the door because they were coming in.
6. I was actually sitting on the toilet when this occurred and I had used a folding knife to put in the lock of the door in order to keep it closed because the door was broken and would just swing open; I took the knife out of the lock to open the door slightly so I could see what the commotion was all about.
7. The police officers pushed their way into the bathroom where I was and proceeded to search the entire area.
8. I did not give consent for the police to enter the apartment or to enter the bathroom area. I did not hear anyone give consent to the officers to enter the apartment or the bathroom area.
9. The police had no search warrant that I was shown which authorized them to enter the apartment.

Signed under the pains and penalties of perjury this 8 day of August, 2005.

Kacey Jones 8-8-05
Kacey Jones